

## High Seas collection of Non-CITIES species and FWS regulations

**Jennifer Irving Wildlife Inspector FWS:** "...regarding the importation of the specimens at Woods Hole, collected on board the RV Ronald Brown on the cruise from the Azores to the U.S. " ... "After clearing U.S. Customs at Woods Hole, ALL the wildlife specimens on board the ship must be securely maintained at a Woods Hole facility."...." On the first business day after the ship arrives (Tuesday, September 6), a Wildlife Inspector will come to Woods Hole to inspect the wildlife." 17 August 2005

### **"The paperwork should include:**

1) The original and 1 copy of the declaration form 3-177.

Per the regulations (50 CFR 14.61), "importers...must file a completed

Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177), signed by the importer or the importer's agent, upon the importation of ANY wildlife..." (emphasis mine).

Therefore, all wildlife, not just CITES listed wildlife, must be declared on the declaration Form 3-177.

2) The original and one copy of each CITES permit.

3) One copy of all collection notes pertaining to this trip."

**Issue of Importation:** Need “... to assess officially whether or not scientists who collect non-CITES listed samples from the high seas, international waters, are considered to be importing under this regulation.”  
T. Shank - 20 August 2005

“Under common law, wildlife is not owned until it is "reduced to possession" - captured. If a US vessel "captures" wildlife in international waters, it is not owned until it is on a US vessel, which is the same legally as US soil. Moving it ashore is simply moving the sample from one part of the United States to another.” D. Nixon - 2 September 2005

“the matter of the non-CITES specimens was never actually settled, and this was clearly the major issue to begin with that will affect all UNOLS cruises that collect specimens outside the US EEZ, including in international waters. ...A reporting requirement for all specimens collected on UNOLS and other US research cruises that go even a mile outside the US EEZ will result in more confusion about permits. Where will the 3-177 forms be sent? To the regional FWS office? Is this a national FWS policy?” L. Watling - 19 September 2005